United States Bankruptcy Court Southern District of Texas

ENTERED

January 24, 2023
Nathan Ochsner, Clerk

IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE:
\$ CASE NO: 22-90130

ALTERA INFRASTRUCTURE L.P., et al.,
Debtors.
\$ Jointly Administered
CHAPTER 11

ORDER TO FILE SUPPLEMENTAL MATERIALS AND BRIEFING

Pursuant to the Court's order issued on the record at the hearing held on January 24, 2023 at 2:00 P.M, Central Time, the parties must file supplementary materials and briefing related to the omnibus claim objections filed by the debtors at Docket Nos. 538, 539, and 540 as follows:

- 1. Altera must file clean copies of the instruments that govern the investments made by the claimants no later than February 7, 2023, 5:00 P.M., Central Time.
- 2. No later than February 21, 2023, 5:00 P.M., Central Time, any party who disagrees that the instruments filed by Altera are the instruments which form the basis of the contested claims must file
 - a. an alternate instrument upon which the party believes the claim is based; and/or
 - b. any relevant amendment(s) to the instrument forming the basis of the claim.
- 3. No later than March 31, 2023, 5:00 P.M., Central Time, any party may file
 - a. a brief of up to 10 pages stating their argument as to whether the instrument(s) filed above should be classified as an equity or debt instrument; and/or
 - b. a motion for a hearing on whether the debtors' course of conduct in dealing with the instruments should cause the instrument to be recharacterized as a debt instrument.
- 4. Parties may file responsive pleading of no more than 10 pages to any brief or motion referenced above no later than April 21, 2023, 5:00 P.M., Central Time.
- 5. Should the parties request that the Court recharacterize the instruments, an evidentiary hearing on whether the instrument should be treated as a debt or equity instrument will be held on May 9, 2023 at 2:00 P.M., Central Time in Courtroom 404, 515 Rusk Avenue, Houston, TX 77002. Parties may choose whether to appear in person or remotely attend the hearing. The Court will apply the Federal Rules of Evidence.

- 6. Parties must attach any document on which a brief or motion is based to the brief or motion; provided, no party must attach any copy of any instrument or amendment filed pursuant to paragraph 2.
- 7. The parties are urged to retain counsel.

SIGNED 01/24/2023

Marvin Isgur

United States Bankruptcy Judge